NOTIFICATION.

Bangalore, dated 25th September 1964.

G. S. R. 480.—In exercise of the powers conferred by Clause (2) of Article 283 of the Constitution of India, the Governor of Mysore is pleased to make the following further amendments to the Mysore Financial Code, 1958, namely,—

In the said Code,

I. In Article 328 (Page-216),

(*a*) *Substitute* the sub-para by the following :—

"Moneys not being Government dues received in his official capacity *i.e.* Poor fund in hospitals, Sports fund in Educational Institutions etc., shall also be accounted for in his cash book and remitted to the public account of the State".

(*b*) *Insert* the followinig as 'Notes 1 and 2' below the Article :—

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Note 1.—The procedure to be followed in dealing with the moneys which are not Government dues, is laid down in Article 4.

Note 2.—The procedure to be followed regarding the recoveries from the salaries of Government servants on account of dues of Co-operative Societies is laid down in Article 348.

II. *Recast* Article 348 as follows :—

"348. (*a*) Any Government servant who is a member of a Co-operative Society registered under the Mysore Co-operative Societies Act, 1959, may execute an agreement in favour of the Society providing that the officer disbursing his pay shall be competent to deduct from the salary payable to him by the Government such amounts as may be specified in the agreement and to pay the amount so deducted to the Society in satisfaction of any debt or other demand owing by the member to the Society. On the execution of such an agreement, the disbursing officer shall, if so required by the Society by a requisition in

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writing and so long as such demand or any part of it remains un-paid, make the recoveries in accordance with the agreement and pay the amounts so recovered to the Society, at the earliest opportunity and in any case within fourteen days from the date of the deduction as required in Sections 34 and 109 of the Mysore Co-operative Societies Act, 1959, after deducting the remittance charges, if any.

Note :—In the case of Gazetted Government servants the requisition from the Co-operative Society will be sent to the Treasury Officer through the Accountant General.

(*b*) Such recoveries are subject to the following conditions :—

(i) that the Government servant is employed within the territorial jurisdiction of the State, and

(ii) that where the whole or a part of the attachable portion of the salary of the Government servant concerned is already under attachment, the recoveries on account of the demands from Co-operative Societies shall be made from that portion of his salary as is not liable to attachment under the provisions of the Code of Civil Procedure, 1908;

(*c*) The deductions will always be made in cash by the Disbursing or the Treasury Officer. The amount thus recovered should be paid to the Co-operative Society concerned without undue delay after deducting the remittance charges, if any.

As regards the remittance of collections at the place of encashment, the societies themselves should arrange to receive them.

In cases where the Government Servant concerned intentionally allows his pay to remain undisbursed or undrawn, with a view to evading payment on account of the dues of a Co-operative Society, the procedure laid down in Article 92-A will apply *mutatis-mutandis*.

The amount recovered shall be treated in the accounts in the same way as salary paid to the Government servant concerned, the particulars of the requisition received from the Co-operative Society being cited in the pay bill or the acquittance roll, if one is separately maintained in accordance with Article 52 *ibid*, as authority for the charge. A brief note of the Society's receipt should also be kept in the office copy of the pay bill or the acquittance roll concerned, and the Society's actual receipt should be recorded separately in a Guard file. The acquittance from the payees shall be for the gross amount, that is for the amount including the dues of the Co-operative Society though only the net amount after recovering the dues, is payable.

(*d*) (i) The recoveries from the salaries of the non-Gazetted Government servants and the corresponding payments to the Societies should be shown on the receipt and payment sides of the cash book maintained by the Heads of Offices as the transactions occur.

(ii) The amounts recoverable from the salaries of the Gazetted Officers will be intimated by the Accountant General and on the basis of this intimation the Treasury Officers should effect the recovery. The amounts recovered by the Treasury officers from the salaries of the Gazetted Government servants and others who draw their own bills, shall be remitted to the Society by means of Postal Money Order less remittance charges. In the case of treasuries issuing cheques on Banks, the Treasury Officer should draw cheques in favour of the Co-operative Societies.

[No. FD 103 RFC 61.]

By Order and in the name of the Governor of Mysore,

N. S. BHARATH, *Dy. Secy.*